Remarks

This Application has been reviewed in light of the Office Action mailed April 5, 2004. All pending Claims 1-4, 6-11, 13-21, 23-28 and 30-43 stand rejected; however, the Examiner has provided Applicant another non-final Office Action to reconsider the Examiner's more explicitly stated rejections. Applicant acknowledges and appreciates the Examiner's clarification of his rejections. Although Applicant believes all pending claims are allowable without amendment, to expedite issuance of a patent from this Application, independent Claims 1, 18 and 33 have been amended to substantially include the limitations of Claims 8, 25 and 37, respectively. In addition, independent Claims 32 and 43 have been similarly amended, dependent Claims 9, 26 and 38 have been amended to maintain proper antecedent basis, and Claims 8, 25 and 37 have been cancelled. Applicant also respectfully provides these remarks. Applicant respectfully requests reconsideration and full allowance of all pending claims.

Applicant's Claims are Allowable over *Mukhopadhyay*

The Examiner rejects Claims 1-3, 7-9, 13-16, 18-20, 24-26, 30, 32-34, 36-38, 41 and 43 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,032,158 to Mukhopadhyay et al. ("*Mukhopadhyay*").

Independent Claim 1 of the present application, as amended, recites in part a change retrieval engine operable to:

> receive information from the data management system identifying a particular business object with which the changed data is associated, the received information including one or more key values identifying a plurality of instances of the particular business, each of the plurality of instances of the particular business object being associated with at least a portion of the changed data;
> access a data model specifying, for each of a plurality of business objects . . . references to one or more tables managed by the data management system that include data related to one or more instances of that business object;
> identify according to the data model the tables specified for the plurality of instances of the particular business object that are identified by the one or more key values received from the data management system to identify data to be retrieved from the database . . . ; [and]
> request from the data management system the data to be retrieved included in the tables identified according to the data model;

Independent Claims 18, 32, 33 and 43, as amended, recite substantially similar limitations. *Mukhopadhyay* fails to disclose, teach, or suggest at least these limitations, whether *Mukhopadhyay* is considered alone or in combination with any other cited reference or with information generally available to those of ordinary skill in the art at the time the invention was made, for at least the reasons discussed below.

For example, *Mukhopadhyay* fails to disclose, teach, or suggest an engine operable to "receive information from the data management system identifying a particular business object with which the changed data is associated, the received information including one or more key values identifying a plurality of instances of the particular business, each of the plurality of instances of the particular business object being associated with at least a portion of the changed data," as specifically recited in Claim 1 as amended. According to the Examiner (with respect to now-cancelled Claim 8), this limitation is disclosed by *Mukhopadhyay* at column 7, lines 35-46 and column 5, line 62 - column 6, line 9. (Office Action, page 15). These cited portions of *Mukhopadhyay* disclose the following:

"The capture process 404 is responsible for determining the source table that has been modified and the actual changes that had occurred in that particular source table. The changes are then staged in the dynamic image tables of the CDC database 410. When the transaction responsible for the changes in the operational table is committed, the capture process 403 marks all the changes made by the transaction ready for the builder process 405. Thereupon, capture process 406 notifies builder process 405 to process these changes." (Column 7, lines 35-46).

"The actual changes to the source tables of an operational database are stored in one or more image tables 303-306. For every source table in an operation database from which changes are to be captured, two image tables (one dynamic and one static) are created and maintained inside the CDC database 204. For example, FIG. 3 shows two sets of image tables (303-304 and 305-306). . . . Image tables 303-306 are identical to the source tables, except that they contain additional information used by the CDC process. Dynamic image tables 303 and 305 are used to store the actual changes made to their corresponding operational source tables." (Column 5, line 62 - column 6, line 9).

The Examiner alleges that because dynamic image tables 303 and 305 are identical to their corresponding operational source tables, they include any key values. (Office Action, page 15: "see also disclosure that the dynamic image table is identical to the source table, thus including any key values, col. 5, line 61 through col. 6, line 9"). Thus, it appears that the

Examiner is interpreting "key values" as particular data within an operational source table or business object that may itself be the changed data to be propagated. However, "key values" recited in Claim 1 are not actual data in tables or business objects that may be the changed data (or the accompanying data) to be propagated; rather, "key values" recited in Claim 1 are values <u>used to identify instances of a business object</u>. In other words, the "key values" recited in Claim 1 are essentially meta-data (i.e. "data about data"). *Mukhopadhyay* fails to disclose such "key values."

In any event, *Mukhopadhyay* fails to disclose receiving "one or more key values identifying a <u>plurality of instances of the particular business object</u>," as specifically recited in Claim 1 as amended. The cited portion (as well as the remainder) of *Mukhopadhyay* fails to disclose multiple instances of a particular business object, much less receiving "key values" that identify such multiple instances.

Although it is somewhat unclear from the Office Action, Applicant believes that the Examiner is attempting to equate *Mukhopadhyay*'s "image tables 303-306" with the "plurality of instances of [a] particular business object" specifically recited in Claim 1 as amended. Applicant respectfully submits that such features cannot be equated. *Mukhopadhyay*'s "image tables" 303-306 include dynamic image tables 303-304 and static image tables 305-306, which are images of corresponding operational source tables taken at different times. Each operational source table has (a) a corresponding "dynamic image table" that stores the actual changes made to the operational source table (col. 6, lines 7-9), and (b) a corresponding "static image table" that stores historical information from the operational source table (col. 6, line 54 - col. 7, line 12). Thus, static and dynamic image tables are merely used to store historic data and changes, respectively, for corresponding source tables. Such "image tables" cannot be equated with the "plurality of instances of [a] particular business object" specifically recited in Claim 1 as amended. To illustrate the distinction, Applicant directs the Examiner to the example of a "business object" and a "plurality of instances" of that business object provided in Applicant's specification. The example business object is a "MATERIAL" business object (which has a corresponding main table denoted as the "MARA" table) and the example instances of the "MATERIAL" business object are multiple <u>types of materials</u>. (Applicant's specification, page 9, line 29 - page 10,

line 3). *Mukhopadhyay*'s "image tables" cannot be equated with such "plurality of instances of [a] particular business object" specifically recited in Claim 1 as amended at least because *Mukhopadhyay*'s "image tables" are merely images of a particular table taken at different times, as discussed above.

Moreover, *Mukhopadhyay*'s "image tables 303-306" cannot be equated with the "plurality of instances of [a] particular business object" specifically recited in Claim 1 as amended because each "image table 303-306" is not associated with "changed data," as specifically recited in Claim 1 as amended. In particular, although "dynamic image tables" 303 and 304 store changed data from a corresponding source table, "static image tables" 305 and 306, store <u>only historical information, not changed information,</u> from such corresponding source tables. In other words, such "static image tables" 305 and 306 are not associated with changed data. Thus, *Mukhopadhyay*'s "image tables 303-306" cannot be equated with a "plurality of instances of [a] particular business object" where "<u>each of the plurality of instances of the particular business object [is] associated with at least a portion of the changed data,</u>" as specifically recited in Claim 1 as amended.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. § 2131. In addition, "[t]he elements must be arranged as required by the claim." *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); M.P.E.P. § 2131. As illustrated above, *Mukhopadhyay* fails to disclose, either expressly or inherently, each and every limitation recited in Applicant's Claim 1, as is required under the M.P.E.P. and governing Federal Circuit cases.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of amended Claim 1, together with all claims that depend therefrom. In addition, for at least the reasons stated with regard to Claim 1, Applicant respectfully requests reconsideration and allowance of amended independent Claims 18, 32, 33 and 43, together with all claims that depend therefrom.

All of Applicant's arguments and amendments are without prejudice or disclaimer. Additionally, Applicant has merely discussed example distinctions from the *Mukhopadhyay* reference. Other distinctions may exist, and Applicant reserves the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicant does not acquiesce to the Examiner's additional statements. The example distinctions discussed by Applicant are sufficient to overcome the anticipation rejections.

Conclusion

Applicant respectfully submits that the present Application is in condition for allowance and favorable notice thereof is requested.

If the Examiner believes a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Christopher W. Kennerly, Attorney for Applicant, at the Examiner's convenience at (214) 953-6812.

Although no fees are believed due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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